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Sent: Wednesday, September 7, 2022 4:06 PM
To: info-POC
Cc: Stanton-Trehan, Megan; Stephanie Horwitz; Yasmine Imani McMorris; Victor Leung; Irene Rivera; Mayra Lira; Kelsey White; Alaina Moonves
Subject: Public Comment 9/8
Attachments: 2022-03-15 BoS EJC letter Item 10 support (1).pdf

CAUTION: External Email. Proceed Responsibly.

Dear Chair Carrillo, Vice Chair Jackson, and Probation Oversight Commission (POC) Commissioners:

We are submitting this public comment in response to agenda item #4. We want to acknowledge that the Board of Supervisors and POC have repeatedly demonstrated their commitment to fully implementing Youth Justice Reimagined. We are grateful that the POC has been a leader in ensuring that this work includes a focus on educating youth who are incarcerated. The POC's commitment has been underscored by its creation of an education workgroup as one of its first actions as a commission, and in its publication of a detailed and troubling report on the deficient education offered to youth within the halls and camps.

Youth have a fundamental right to an education, and they are not currently receiving that in any meaningful way in the carceral setting in Los Angeles. The POC's report on the concerning education conditions within the halls and camps illuminated key issues that the community, and most importantly those with lived experience, have been highlighting for some time. Yet, no significant changes have been made to the educational experience of incarcerated young people since the publication of that report. As inadequate education conditions remain at the current facilities and there is no plan yet to address them in the proposed facilities, rather than utilizing resources on determining ways to house a growing population of secure-track youth, the County should prioritize supporting the current population and ensuring that they are released with supportive services as soon as possible. Further, we point out that, even under perfect education conditions, incarceration is intrinsically traumatizing, putting youth in a mindset where learning is nearly impossible as their brains are focused on survival. We reiterate the recommendations we set forth in our letter dated March 15, 2022 (attached): namely, education of youth in carceral settings is inherently problematic, the current education conditions in the County carceral settings are failing youth, and youth should be able to assert their right to remain in their school of origin even if they are incarcerated.

Probation and the County have failed to come up with any viable plan to house and educate secure-track youth, and young people are paying the price. Many of the young people we serve feel hopeless. None of the proposals being considered are in alignment with the commitment made to implementing Youth Justice Reimagined, nor the work the POC has advocated for to improve education conditions. We are troubled that any current proposal will result only in youth being shuffled from one inadequate facility to another, while their education, along with their general well-being, will continue to suffer. The County, in collaboration with Probation and the Los Angeles County Office of Education, needs to devise a specific plan that acknowledges how they have historically abdicated their duties to provide adequate education to youth who are incarcerated, and how they intend to provide quality education moving forward. Lastly, we reiterate our request that the County set a moratorium on sending any youth to Secure Youth Treatment Facility sites and avoid wasting essential public funds on facilities that cannot effectively serve youth or communities.

Thank you for your consideration.

Sincerely,

The Education Justice Coalition:

ACLU of Southern California
Alliance for Children's Rights
Children's Defense Fund- CA
National Center for Youth Law
Public Counsel
Youth Justice Education Clinic at Loyola Law School

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March 14, 2022

To: Los Angeles County Board of Supervisors
CC: Probation Oversight Commission
Juvenile Justice Realignment Block Grant Subcommittee
Chief Probation Officer Gonzalez

RE: Public Comment for Item 10 - IN FAVOR - Preparing for the Closure of the Division of Juvenile Justice: Secure Youth Track Facility Designation and LA Model Expansion

“Education is the key to success. It opens doors for those who want to become a better person, and to make this happen we have to make sure they're getting the education they deserve.”

- Mainor Xuncax, Youth Policy Advocate at Arts for Healing and Justice Network (AHJN), who had been on juvenile probation for 4 years in LA County

As a coalition of youth advocacy organizations with expertise in education law, programming, and youth development, and informed by the lived experiences of our clients and formerly incarcerated colleagues, we write this letter to respond to recent discussions in the County regarding education for young people involved in the youth justice system.

On September 15, 2021, the Board of Supervisors voted to affirm the “L.A. Model” and expand services in Campus Kilpatrick. In the same motion, the Board directed County agencies to investigate and report back on several issues regarding education.¹ Meanwhile, the Probation Oversight Commission has been investigating juvenile detention facilities and recently issued the report [“Improving Educational Opportunities and Outcomes for Students in Juvenile Halls and Camps”](#) based on the Commission’s firsthand visits to the County’s juvenile court schools.

We submit this letter to further the discussion in both of the above contexts and inform next steps toward creating meaningful educational opportunities for young people in the County’s care. We urge the Board, the Commission, and all County agencies involved to prioritize the education of young people. We hope you will work with us to:

1. End the incarceration of youth, because it is harmful to students’ education and well-being;

¹ L.A. Bd. of Supervisors, Motion Reaffirming and Expanding the LA Model (Sept. 15, 2021), <https://file.lacounty.gov/SDSInter/bos/supdocs/161709.pdf> [<https://perma.cc/S8EF-AYZK>].

2. Allow young people access to quality education and robust programming in secure facilities, to the extent a small few must be removed from their communities and placed in such facilities; and
3. Take steps to improve transparency and create community accountability mechanisms around education in secure facilities, which are critical to the success of this evolving system.

I. The County Must Significantly Decrease Detention, Which Disrupts and Harms Students' Education

“At the end of the day, it was an unhealthy environment, and I felt that.”

- Kevin Rodas, a youth leader with Arts for Healing and Justice Network (AHJN), on his experience in a County detention facility and court school.

Carceral settings are inherently punitive and counterproductive to youth development.² As such, our coalition envisions a future in which young people no longer experience incarceration. In affirming Youth Justice Reimagined, the County has similarly committed to a future where few young people are removed from their homes.³ However, the current reality is that judges, prosecutors, probation officers, and other court actors regularly detain young people. Thus, we must work together to confront the various disruptions and challenges young people face when incarcerated, including disconnection from and disruption to their education trajectory.

Any period of detention by Los Angeles County Probation (“Probation”) requires a young person to be disenrolled from their school in their community, causing multiple gaps in their education both as they enroll in Los Angeles County Office of Education (“LACOE”) juvenile court schools, and then again when they reenter their community. Despite the legal right to “immediate enrollment,” youth

² A 2014 study on the prevalence of abuse during incarceration in secure juvenile facilities determined that nearly all youth (96.8%) experienced some type of abuse (e.g., physical abuse, sexual abuse, psychological abuse, denial of food, and excessive stays in solitary confinement) during incarceration. The study was based on data from a sample of formerly incarcerated young adults (n=62) in Southern California. See Carly B. Dierkhising et al., *Victims Behind Bars: A Preliminary Study of Abuse During Juvenile Incarceration and Post-Release Social and Emotional Functioning* 20 Psych., Pub. Pol’y, and L. 181 (2104), <https://doi.org/10.1037/law0000002>.

³ See <https://lacyouthjustice.org/>; L.A. Bd. of Supervisors, Youth Justice Reimagined: A New Model for Youth Justice in Los Angeles County (Double Motion 2012, Nov. 24, 2020), <http://file.lacounty.gov/SDSInter/bos/supdocs/150833.pdf#search=%22%22youth%20justice%20reimagined%22%22> [<https://perma.cc/7RY4-QSXE>].

who are incarcerated often experience gaps before they are enrolled in LACOE juvenile court schools.⁴ When the courts release these young people to the community, many students have to rely on legal assistance in order to enroll in their school of origin (which can be defined as the last school they attended prior to system involvement, or any school they attended in the last 15 months), or even another comprehensive local school. We have seen school districts turn many students away due to the stigma of system involvement, including pushing them out to an alternative school such as a continuation or community day school. These alternative settings segregate students from the comprehensive school populations. For many students, this segregation leads to disengagement, or worse, an inability to earn a high school diploma or GED.

Aside from experiencing these gaps in education, young people who are incarcerated are separated from their schools in the community, where school staff have had the most time to develop rapport and trust with them. Those young people, many of whom have experienced significant trauma and face challenges like learning disabilities, have to then form bonds and establish trust with new teachers in a short period of time. In these circumstances, even the most experienced, creative teachers struggle to create classroom environments where students can move beyond survival instincts and to a place of trust and learning. In court schools in California, teachers may be even less successful in engaging students because they are often credentialed and trained at a level that does not align with the educational needs of their high-school age students. Students who experienced incarceration share that other factors, such as the presence and power of probation officers and the constant churn of classmates, make it even harder to engage in the court school learning environment.

Replacing LACOE with another school district or charter school operator will not fix these underlying systemic issues. In order to improve education outcomes and work toward ending the school-to-prison track, youth should remain in their current, community-based schools to the greatest extent possible.

II. If Youth Are Incarcerated, They Have a Right to a Meaningful and Appropriate Education

“During my time, I not only experienced myself but also witnessed fellow classmates being handed passing grades for simply sitting quietly or not starting disturbances. Once they’re outside and have to do

⁴ This has been exacerbated during the Covid-19 pandemic, as young people are required to quarantine for a certain time period before they are enrolled in LACOE juvenile court schools (even though options such as remote learning could allow for immediate enrollment during any necessary quarantine period).

all these assignments that weren't given to them before, they're easily irritated and let it all go and give up. It's not their fault."

- Kevin Rodas, a youth leader with AHJN

"When I started going in and out of halls, placements and camp, I would see myself taking the same classes over and over or doing the same [schoolwork] packets. At Challenger, I was learning about World War II, and one year later at Kilpatrick, I was still learning about World War II. It was just book work. Whether I was in 9th grade or 12th grade - it was the same class."

- Mainor Xuncax sharing his experience in Los Angeles County juvenile court schools

"I didn't get enrolled in Algebra 2 or Geometry math classes when I was in juvenile hall. I hope real steps will be taken to improve the rigor of education and make sure youth don't get cheated out of learning subjects they need for college or for careers in science, technology, engineering, art, and mathematics."

- Justus Jones, Youth Engagement Specialist at AHJN

As we work towards a model where young people are no longer incarcerated, for the small number of young people who may be ordered to secure facilities, LACOE and Probation must ensure students have access to quality education with robust programming options to support their growth and development. The environment and education services must also address the unique and significant needs of the court school population.

As such, the County must reject any proposals to use Barry J Nidorf, a facility that was declared "*unsuitable for youth habitation*" by the California BSCC in 2011, as the permanent location for Secure Track Youth. Our coalition supports Agenda Item #10 because Campus Kilpatrick's cottages and classroom spaces can offer students a more rehabilitative environment conducive for living and learning. By leveraging Campus Kilpatrick, Dorothy Kirby Center, and Camp Scott and refusing to double down on its failing juvenile hall facilities—the County can reduce its carceral footprint and make progress towards the vision of Youth Justice Reimagined.

The Commission's report also confirms what we have reported: LACOE and Probation are wholly failing to provide incarcerated students with the education and programming they require for appropriate youth development.⁵ LACOE's own local testing data demonstrate that students in the

⁵ L.A. Cnty. Prob. Oversight Comm'n, Education Report: Improving Educational Opportunities and Outcomes for Students in Juvenile Halls and Camps (March 14, 2022), <http://file.lacounty.gov/SDSInter/bos/supdocs/POC22-0028.pdf> [<https://perma.cc/NJ8K-SW2U>].

halls and camps experience *decreases* in their basic math and English skills while incarcerated.⁶ Further, these schools often do not provide needed special education services (for example, services that are not offered in juvenile court facilities, such as non-public school placements), and students receive fewer needed supports as a result.⁷

The County must do more to ensure Probation and LACOE collaborate to implement numerous overdue reforms, including offering the following:

- A-G and college preparatory courses to ensure the County’s incarcerated students have equal access to higher education as their non-justice-involved peers;
- Meaningful and consistent access to appropriate special education services not limited by the detention setting;
- Access to consistent and high quality mental health services including school-based mental health services such as Educationally Related Intensive Counseling Services (“ERICS”);
- Staff that is trauma informed;
- Access to academic intervention programs and remedial programs for students who are not working at or near grade level;
- Qualified teachers who care and respect students, exhibit cultural humility, reflect the racial/ethnic composition of the students, and who are appropriately credentialed to teach secondary education and single subjects;
- Formal inclusion of students, families, and community members in LACOE staff hiring decisions and processes to select candidates who can build genuine relationships with youth;
- Culturally relevant curriculum and training to support young people in secure facilities;
- Students should have consistent access to their education; they should not be removed from class or not taken to class for Probation staffing or other similar reasons;
- Classrooms that feel like school, not detention, to maximize learning for students; classrooms should be run by educators. Probation officers should minimize disruptions to education and should not be involved in classroom management or utilized for behavior interventions;

⁶ 2019–20 Los Angeles County Office of Education Annual Report. According to pre/post test data, students in the halls experienced decreases in both math (-0.4 grade levels) and English (-0.1 grade levels) scores while detained. Students in the camps demonstrated decreases in math scores (-0.1 grade levels).

⁷ In our experience, LACOE routinely makes changes to Individualized Education Programs (IEPs) for young people who are incarcerated to remove services that are not available in court schools. This practice has consequences outside of these facilities. IEPs altered to match the available services within the facility are the same IEPs that the youth carry with them when they transition to schools outside of those facilities — meaning that the students either require legal or other advocacy support to reinstate their services or will struggle with fewer services and supports than they had when they first entered the facility.

- Consistent access to education and programming through technology and virtual/hybrid opportunities for all students even during periods of quarantine or other similar situations;
- Frequent and ongoing opportunities for youth to participate in designing an educational program that serves their needs. This could be a youth council on education and programming or a youth commissioner elected by peers to regularly meet with and give feedback to LACOE and Probation;
- Opportunities for parents and families to meaningfully participate in their students' education and programming;
- Frequent opportunities for youth to engage in various and interactive programming with community-based organizations ("CBOs") across a range of areas;
- Transparency to the public regarding the CBOs selected to provide programming;
- Financial literacy and other transition services;
- College opportunities including both community college (associate's degree) and four year college (bachelor's degree) options;
- Vocational or certificate programs in areas of interest to young people such as construction, barbering, food service, logistics, electrical, and others.

III. The County Must Increase Transparency and Community-Led Accountability

It is critical that decision making around and implementation of education services for youth who are incarcerated be transparent to stakeholders such as families and community based organizations that support these youth. Historically, LACOE has failed to provide community stakeholders with meaningful opportunities to provide input on education planning, has denied the public their right to provide input on those plans through submission of public comment, and has failed to incorporate critical community feedback in its planning.⁸ We urge the County not to repeat those same missteps in its handling of the education planning process as it moves forward.

Additionally, community-led workgroups, such as youth councils or community membership on oversight boards, are key accountability mechanisms to ensure the County is adequately monitoring and implementing its realignment plan, particularly with respect to education, and its overall plan to reimagine court school education. The County should put such mechanisms in place to ensure community members - particularly those who have directly experienced the juvenile justice system -

⁸ As an example of this concern, please see the attached letter many members of this coalition submitted to Superintendent of Public Instruction Tony Thurmond regarding LACOE's flawed Learning Continuity and Attendance Plan ("LCP") process on October 9, 2020.

play a key role in ensuring meaningful education services are available to students in an equitable manner.

Our coalition is eager to engage in further discussions and exploration of creative solutions on these matters.

Sincerely,

The Education Justice Coalition

ACLU of Southern California

Alliance for Children's Rights

Arts for Healing and Justice Network

Children's Defense Fund-CA

Loyola Law School Youth Justice and Education Clinic

National Center for Youth Law

ATTACHMENT

October 9, 2020

The Honorable Tony Thurmond
State Superintendent of Public Instruction
California Department of Education
1430 N Street
Sacramento, CA 95814-5901
Via email: superintendent@cde.ca.gov

RE: Request to Review and Amend the Los Angeles County Office of Education (LACOE) Learning Continuity and Attendance Plan (LCP)

Dear Superintendent Thurmond:

We appreciate the difficult circumstances that face our schools and teachers during the pandemic, but these challenges can only be overcome by more transparency, community engagement, and equity, not less. We are concerned that the Learning Continuity and Attendance Plan ("Plan") of the Los Angeles County Office of Education ("County") leaves students' education and parents' voices as collateral damage to the pandemic and fails to prioritize spending on the resources that will actually support its highest-need students.

Our concerns center on education services that impact more than 900 youth enrolled in the County's juvenile court¹ and county community schools.² Young people incarcerated by the Los Angeles County juvenile court system in Probation camps and juvenile halls are currently facing an unprecedented humanitarian crisis. Despite advocacy and community organizing demanding the immediate release of young people so that they can safely isolate with their families in their communities, 517³ young people remain incarcerated. This system of retribution is rooted in racial bias and denies young people of color, especially Black young people, developmentally appropriate consequences and care. Our ultimate hope is that public agencies confront the deep problems in the juvenile court and education systems and take advantage of the opportunities for transformation that the COVID-19 pandemic has presented, but the focus of this letter is on the budget and planning process of the Los Angeles County Office of Education.

Approving LACOE's Learning Continuity and Attendance Plan without amendments would be a disservice to hundreds of youth who currently lack access to the education and services they deserve. To improve the education of students enrolled in Los Angeles County Office of Education's juvenile court and county community schools, we respectfully request your action on the following:

- I. Ensure that the Los Angeles County Office of Education be more inclusive and committed to the empowerment of its stakeholders — especially impacted youth and their caregivers — both in this process and in future education planning processes.

¹ California Department of (2020). Enrollment in California Public Schools by Ethnic Designation, 2019-20. Retrieved

² California Department of Education (2020). Enrollment in California Public Schools by Ethnic Designation, 2019-20. Retrieved from <https://data1.cde.ca.gov/dataquest/DQ/SchEnrOtherEth2.aspx?TheYear=2019-20&SortBy=a&cCounty=19&cSchType=10>.

³ Los Angeles County Probation Department (2020). Los Angeles County Probation COVID-19 Weekly Update October 2, 2020. Retrieved from http://file.lacounty.gov/SDSInter/probation/1079434_100220WKLYUPDATE.pdf.

- II. Request the County amend its Plan to address the community's concerns about transparency.
- III. Request the County amend its Plan to reflect youth demands to achieve racial justice.
- IV. Review other County Office of Education Plans to assess similar issues and intervene where necessary.

Below are our recommendations in full.

I. LACOE Stakeholder Engagement Process Fails to Address Needs of Juvenile Court and County Community School Students Effectively

On March 16, 2020, LACOE ended in-person instruction in response to COVID-19. Since then, our organizations have consistently attempted to raise grievous concerns to LACOE about students' experiences with education in their schools. Reports have included: students receiving poor or no remote instruction; insufficient access to technology and wireless internet; lack of assessments tracking learning loss; halted special education assessments and services; and more. We provided examples - through letters, meetings, and public comment - of how LACOE could support its court and county community school students better during the pandemic. However, many concerns remained unresolved months into the pandemic. Notably, students in LACOE's juvenile court schools were still lacking virtual instruction and being issued paper packets in June, while students in LACOE's comprehensive high schools had transitioned to virtual instruction by the end of March.

We had hoped that ongoing communication with LACOE would help address the community's concerns, but in May 2020, LACOE proposed Board Policy 6157 (Virtual Learning), a policy that exacerbated inequities between LACOE's juvenile court schools and LACOE's traditional comprehensive high schools. Although former LACOE juvenile court school students gave feedback on the policy to ensure all incarcerated students could be guaranteed access to virtual instruction from teachers, B.P. 6157 was adopted without substantive changes and permitted the County to continue issuing packets to incarcerated students while their comprehensive high school peers were provided more robust and consistent access to virtual instruction. And when newly admitted youth began testing positive for COVID-19 and hundreds of incarcerated students at risk of exposure were placed in quarantine, LACOE reported that these students would also only be provided paper packets for their education.

We also hoped that LACOE would address community concerns in its Learning Continuity and Attendance Plan by providing much-needed information about education for juvenile court and community school students and allocating critical additional resources from its budget - but LACOE did not do so. Instead, the public was denied a meaningful opportunity to provide input on the County's draft Plan and object to this lack of information before it was adopted on September 8.

On Friday afternoon, August 28, 2020, LACOE released the first draft of its Plan and scheduled the Public Hearing for September 1, two business days later. The approval hearing was set for September 8, just 11 calendar days after the Plan was first released. During the September 1 Public Hearing, we expressed that the public had not been given a reasonable amount of time to review the Plan and formulate suggestions with impacted families and advocates. In a promising gesture, the LACOE Board of

Education discussed modifying its calendar to allow for an additional week and opportunity for public comment on the Plan.

On September 8, our organizations and youth leaders from Arts for Healing and Justice Network gave recommendations to strengthen LACOE's Plan during public comment on agenda item V.A. LCP 2020-21 (Opportunity for Additional Public Comment). After hearing public comment on V.A., LACOE unexpectedly reversed course and approved the Plan with no modifications. When the public attempted to use the "raise hand" feature on Zoom to give public comment on agenda item VII.A. (Approval of the LCP), LACOE announced that public comment would not be heard because the public had already given public comment on the LCP during V.A. Even though LACOE agendized V.A. and VII to serve two distinct purposes - LACOE treated the two agenda items interchangeably for the purposes of public comment. Moreover, LACOE staff disabled Zoom chat, which prevented the public from communicating with any staff and effectively foreclosed the possibility that LACOE would address the procedural issues during the school board meeting. By supplanting public comment for VII.A with public comment for V.A., LACOE denied the public a full and fair opportunity to provide input on the LCP.

Given that the deadline for LEAs to submit Plans was September 30, it remains unclear why LACOE contradicted its own discussion on September 1, 2020 and rushed to adopt its Plan without revisions that reflected community concerns. Despite having 22 days to improve its Plan, LACOE's actions imply no amount of time or community advocacy would move LACOE to produce new drafts or iterations of the Plan.

To ensure that the Los Angeles County Office of Education is more inclusive and committed to the empowerment of its stakeholders — especially impacted youth and their caregivers — in this process and in future education planning processes, we urge the Superintendent take the following actions to address LACOE's deficiencies in its stakeholder engagement process:

- A. Recommend that LACOE amend the "Stakeholder Engagement Process" section of its Plan to reflect the events stated above to create a record of its actions at the Board approval stage.
- B. Require that Local Education Agencies such as LACOE that adopt Plans without revision, despite concerns raised by stakeholders during public meetings, provide a written response as to why public comment did not lead to changes in the Plan's content before adoption, and how stakeholder concerns will be addressed as the school year proceeds.
- C. Provide strong guidance that school districts should release LCAPs and other accountability tools at least 30 days in advance for the community to review before public meetings.
- D. Provide strong guidance and assistance for Counties to improve their stakeholder engagement processes, particularly before they develop the processes for the next three-year LCAP cycle. This should include best practice guidance on meaningfully engaging with system-impacted youth and their families.

II. The Superintendent Should Intervene to Support Los Angeles County's Most Underserved Students

LACOE's current Plan is not detailed or transparent, and it must be. The language as currently written, while allowing potential for improvement and some positive practices, is

permissive of all of the harmful education practices that youth have experienced since the start of the pandemic and long before.

Under current law, you are empowered to review each County Office of Education's Learning Continuity and Attendance Plan and make recommendations for amendments by October 30, 2020. As you are aware, LACOE educates some of the most underserved students in the county in its juvenile court and county community schools, including a disproportionate number of foster youth, students with disabilities, English learners and homeless youth. Accordingly, we request that you take particular care to review the Plan that LACOE has adopted, seek more clarity about proposed spending, and offer specific requests related to how LACOE allocates its budget expenditures.

To address the community's concerns about transparency, we urge you to consider the following recommendations for amendments, which are developed based on direct input from youth who have attended LACOE schools and from advocates who represent and work with youth in those schools. For your reference, we include specific pages in the Plan that relate to our comments, where possible.

A. Mental health and wellness

- 1. Counseling staff.** In its Plan, LACOE states that it will hire one counselor in 2020-2021 to break down racial barriers for students of color in its juvenile court schools. The Plan should specify what types of racial barriers counselors intend to address and how this will be achieved. The Plan should also commit to increasing the number of counselors who will be hired - prioritizing counselors who identify as people of color and/or are from the same communities as the young people they serve.

Justus Jones is the Youth Engagement Specialist at Arts for Healing and Justice Network, a community-based organization focused on providing arts in every community and advocating for youth justice. A former LACOE student, Mr. Jones now provides reentry and youth leadership programming. During public comment at the September 8 LACOE Board meeting, Mr. Jones said: "This is important to me because I was once previously incarcerated and I am familiar with LACOE and its shortcomings. I myself experienced my fair share of counselors that were not as effective as I needed them to be. The only time I seen a counselor was when my grades were low, when I feel like I should have seen them before that [. . .] I also want to give students, families, and community members the chance to be a part of hiring decisions. LACOE should hire more of these counselors to break down racial barriers for students of color. Hiring 100 counselors would improve students' experiences and provide the deep level of engagement they need from caring adults to encourage their progress in school. 100 counselors would enable staff to work closely with 5 students at a time and just focus on them. Incarcerated students need a lot of support, and counselors cannot be effective in breaking down racial barriers if they have 500 students."

As Mr. Jones expressed during his public comment, addressing racial barriers for students of color in LACOE schools cannot be accomplished by hiring only one person, who will ultimately serve as another central administrator with no direct interaction with the young people most impacted by systemic racism. Rather, LACOE must hire multiple counselors specifically trained in cultural competency and antiracist techniques to help support these young people and help create a culture shift in the institutions themselves.

2. **Connections to community and caregivers.** At all times, and particularly during the COVID-19 pandemic, young people in juvenile court schools need more access to their caregivers and community supports to address their mental health and well-being. Mental health and well-being are inextricably tied to school engagement and academic performance. Incarcerated students are already isolated from their families, friends, and loved ones – but during school closures, students also lose in-person connection to their teachers. LACOE must indicate how it will collaborate with Probation and parent liaisons to create additional opportunities for students to connect with their families. This includes proactively updating caregivers about the students' academic and emotional well-being, and providing a simple way for caregivers to contact their children's education and other providers. LACOE must also clarify a more definite schedule for community-based organizations ("CBOs") to maintain connections with students. These connections should be in-person, respecting social distancing and safety protocols as needed. (See pgs. 16, 28)
 3. **School-based mental health program and counselors.** Provide the budget for the new school-based mental health program; state the implementation timeline of site-based, in-person support from the program's staff, as briefly described in the Plan; and clarify whether staff positions described are those of wellness counselors and, if not, describe the services they will provide as well as the timeline for implementation of their roles. (See pgs. 29-30, 36).
 4. **Learning during quarantine.** Currently, LACOE does not provide virtual instruction to students in quarantine. To date, over 400 students have been quarantined, with no documentation of the total amount of days they were in quarantine or the number of instructional hours they lost. LACOE must provide information on the technology solutions that LACOE will implement to provide virtual instruction, including special education and related services, to students in quarantine and the timeline for implementation.
- B. Technology and devices.**
1. **Two-way learning.** Explain whether two-way video learning technology will be available to students during virtual instruction, so they can see their teachers and vice versa. For months and to date, students have reported that they only received audio instruction or one-way video conferencing during virtual instruction.
 2. **Devices and wireless internet.** Clarify whether each youth in juvenile detention will receive a device and access to wireless internet in housing units and medical units, so they can do asynchronous learning and supplemental schoolwork outside of the 240 minutes of daily synchronous instruction. (See pg. 17)
- C. In-person instruction.**
1. **PPE and safety protocols.** Clarify whether PPE will be provided to family and/or CBOs who need to visit in order to provide support to students. Provide detailed description of health and safety guidelines the County will implement during the school day, both during distance learning (since court school students seem to be engaged in virtual instruction in one classroom) and during in-person instruction. (See pgs. 14-16)
 2. **Timeline.** Describe tentative plan to re-open schools for in-person instruction once the state permits all LEAs to resume normal in-person operations. The Plan describes how instruction will begin in small cohorts but does not explain how hybrid learning (cohorts in person, others doing distance learning) will work based on staffing, course schedules, or when it will start. (See pgs. 14-15)

- D. Learning cohorts.** Separately from the plan for normal in-person operations, address whether and how court and county community schools will begin cohort, in-person learning during distance learning, as described in the Governor's August 25, 2020 guidance on in-person cohorts of 14 or fewer students. Describe the process for determining who is eligible or prioritized for cohort(s) and how cohort education will be staffed and delivered.
- E. Individualized Education Program ("IEP") updates.**
- 1. IEP updates.** Describe how LACOE will create an emergency plan for students with IEPs (required for all students who do not receive in-person IEP services in the event of physical school closure for ten or more school days). LACOE should clarify how it will convene these IEPs now, prior to making any adjustment in services, rather than at students' next scheduled IEP meetings. LACOE must document how accommodations will be made to ensure that IEPs can be implemented in a distance learning environment. Finally, LACOE must explain how an education rights holder will be engaged and provide consent prior to any changes. (See pgs. 23, 27)
 - 2. Compensatory services or services to address learning loss.** Clarify how LACOE will address and document the need for compensatory services or other additional services to remedy those not delivered, and how it will address learning loss in an individualized manner through engagement with the education rights holder as part of the IEP process.
- F. Learning loss.**
- 1. Measuring learning loss.** Describe how learning loss will be assessed more immediately than every 60 days to address urgent needs. We recommend that learning loss be measured by (i) an immediate record review comparing current information to Fall 2019 and Spring 2020 on academics, attendance and discipline, (ii) an interview with the student and their Education Rights Holder (including a social-emotional inventory), and (iii) standardized tests administered within 15 days of entry. Share aggregated data from learning loss assessments they have done to date, and publicize future analyses for community review. (See pg. 25)
 - 2. Tutoring.** Clarify how students will be referred to tutoring, the number of hours they will receive tutoring, and how progress will be measured. Clarify what tutoring services will be provided by CBOs and LACOE, respectively; the number of tutors who will be hired, the rate of compensation, and requirements for tutors' qualifications. LACOE must require tutors to have a college degree, certification, or teaching experiences in the subjects they are tutoring. (See pgs. 26-28).
 - 3. Other strategies to address learning loss.** Tutoring and assessments are the only strategies identified in the Plan. Describe other strategies, including but not limited to adjusting course curriculum and collaboration with McKinney-Vento and Foster Youth Services Coordinating Program ("FYSCP") liaisons, instructional aides, and caregivers; online programming such as Khan Academy or other platforms where students can practice basic math, reading, and writing skills – which would supplement but not count towards instruction or tutoring; and other remedial academic instruction that science and other research show is effective.
- G. Distance learning.**
- 1. Recording synchronous instruction.** Describe how teachers will record synchronous virtual instruction. Recordings will benefit all students, but especially students with disabilities, who may need to watch classes more than once to learn content. Recordings will also benefit students with schedules that do not permit them to engage with live instruction every day, i.e., they must miss class

because of medical or counseling appointments, to attend court hearings, or because their caregivers are not available at times to assist them with technology. Clarify whether and how the County will ensure that student participation in recorded instruction counts toward attendance and engagement.

2. **Instructional minutes by CBOs and teachers.** Clarify how LACOE staff will ensure students receive the required number of minimum instructional minutes per day when CBOs are providing services during the school day. (See pg. 16)
3. **Credit attainment:** Clarify how engagement with instruction and assignments will be apportioned for the awarding of credits, including partial credits for students who do not remain enrolled in a single school for the full duration of a semester (e.g., youth moved between juvenile halls and camps, students released from placement back into the community).
4. **IEPs.** Clarify how LACOE will document that students are receiving the special education and related services as provided in their IEPs and what accommodations are being made to ensure that IEPs can be implemented in a distance learning environment. Explain how education rights holders will be notified of any missed services and supports (regardless of the reason the service or support is missed), the process for working with the IEP team to determine how those services will be delivered remotely and/or what changes to services need to be undertaken, with parental consent, given the remote learning environment, and how appropriate compensatory supports or services will be delivered and consented to by an education rights holder.
5. **Flexible scheduling.** The Plan describes 240 minutes of distance learning per day for juvenile court and county community school students. Provide guidelines that LACOE will present to teachers on how to chunk the school day to provide students with breaks for food, bathroom and stretching breaks. Currently, LACOE seems to leave this entirely to teachers' discretion. (See pg. 21)
6. **School discipline.** Provide information on programs or supports for students that will prevent or preempt the need for school discipline during distance learning. For example, provide information on how LACOE will document when and why teachers or other staff exclude students from remote learning as a form of discipline and how these instructional minutes will be made up. State what disciplinary process LACOE will use before such exclusion occurs.

H. Student and family engagement

1. **Parent engagement and communication.** An online learning management system provides a unique opportunity to strengthen caregiver and family involvement in their students' education. LACOE must address the digital divide and provide technology navigation support to caregivers and students. LACOE must explain what information caregivers will have access to on Canvas to stay up to date — such as students' assignments, submissions, and grades — and clarify what types of announcements or individualized communication caregivers and families should expect from teachers. This includes, but is not limited to, the frequency of outreach from LACOE to Education Rights Holders/caregivers about the student's progress, needs, learning loss, missed IEP services, and strategies used to address loss, mental health and wellbeing, etc. (See pgs. 25, 28, 32-35)
 2. **Grievance process.** Describe the complaint and grievance process for students and caregivers who have concerns about distance learning, the transition to in-person instruction, learning loss, missed IEP services, and other education issues that arise during the 2020-21 school year.
- I. **Transition support:** Clarify that students can keep technology devices during and after the one-month transition period to the community. Describe how existing

transition counselors and LACOE FYSCP staff will support students during re-entry, including how staff will assist with records transfers and immediate enrollment in their school of origin prior to detention and/or their local comprehensive school. Clarify how LACOE or CBO staff will provide tutoring to students who will be given access to OdysseyWare for one month after their release. (See pgs. 27-28)

III. The Superintendent Should Recommend LACOE Commit to District Changes that Advance Racial Justice

Thirdly, it is urgent that LACOE invest in key actions to address the deep education inequities juvenile court school and county community school students have experienced. Many young people and families impacted by Los Angeles County's court and county community schools have lacked support and resources from LACOE and thus have not been receiving a quality education even prior to the pandemic.

While the community needs greater transparency around the specific actions LACOE is taking to support its students during the 2020-21 school year, we recognize more must be done to break down barriers for system-involved students. To that end, the Superintendent should encourage the County to collaborate with its stakeholders, former students, and advocates to achieve broader education transformations advocated for by youth activists who care deeply about improving the county education system they have been through so that students their age and younger will have access to more opportunities.

After reviewing the County's Plan, youth leaders Justus Jones, Mainor Xuncax, Mora Greer, and Jacob "Blacc" Jackson propose the following solutions to address the manifestations of structural racism in education systems. These solutions are consistent with and add to our recommendations above, and we urge you to request the County amend its plan to reflect these youth leaders' demands for racial justice.

- A. Student Mental Health and Wellness:** Hire not just 1, but 100 counselors to break down racial barriers for students of color, to achieve a 5:1 student to counselor ratio.
- B. Leadership and Inclusion:** Formally include students, families, former students, and community members in LACOE staff hiring decisions and processes.
- C. Diversity:** Prioritize hiring staff (including educators and tutors) who can relate to students, are BIPOC, and are culturally competent due to - for example - shared education and life experiences.
- D. Compensatory Services:** Hire more Resource Specialists to provide students with IEPs greater access to services and direct, individualized education support.
- E. Protect Students' Right to Learn:** Permanently end the use of suspensions, citations, classroom removals, and any equivalent exclusionary school discipline practice that can be used in a virtual or remote learning environment.
- F. A-G Access:** Provide access to A-G courses to protect and expand students' UC/CSU eligibility.
- G. Cultural Empowerment:** Immediately institute an Ethnic Studies course that would teach students Black, Indigenous, Latinx/Chicanx, and Asian American history and culture, and develop partnerships with post-secondary education institutions and programs such as CSULA (College of Ethnic Studies), UCLA (Institute of American Cultures), and USC (American Studies and Ethnicity).

As a coalition of program providers, educators, lawyers, and researchers that has monitored the education barriers of system-impacted youth - and has taught and represented Los

Angeles County juvenile court and community school students - we strongly support the vision set forth by these youth leaders.

IV. The Superintendent Should Also Carefully Review COE Plans Statewide

As stated earlier, you are empowered to review each COE's Learning Continuity and Attendance Plan and make recommendations for amendments by October 30, 2020. While the concerns detailed here are particular to the LACOE Plan, we also ask you to carefully review Plans for other COEs before October 30. Statewide data indicates COEs educate a disproportionate number of Black, Latinx, and Native American youth, as well as socioeconomically disadvantaged youth, students with disabilities, youth in foster care, and youth experiencing homelessness. Therefore, it is paramount that you consider whether COEs are including in their Plans transparent, detailed information about how they will provide educational services during the COVID-19 pandemic — particularly services for students in juvenile court and county community schools.

From a preliminary review of multiple other COE Plans, it appears that the transparency and detail we seek in the LACOE Plan is lacking in those Plans, as well. Consequently, we urge you to review other COE Plans to assess similar issues, and, where intervention is necessary:

- A.** Provide tangible and actionable feedback on Plans for other County Offices of Education where similar issues as described in our letter above may arise.

Bold actions are required to confront and end structural racism embedded in our juvenile court and education systems. As you review the Plans of LACOE and other COEs - we urge you to remember that education services for juvenile court school students and county community students deserve greater attention and scrutiny, and your actions to address LACOE's Plan and stakeholder engagement can impact education conditions in County Offices of Education across the state. Unlike parents of students in the community, parents and caregivers of juvenile court school students do not have access to monitor or be directly involved in their children's remote or virtual education. It is the County and State's responsibility to ensure adequate oversight is in place and that we are accountable to these students. We must all support these resilient youth and their families to access the education to which they are entitled.

Please contact **Megan Stanton-Trehan** (megan.stanton-trehan@lls.edu) and **Betty Fang** (bfang@childrensdefense.org) if you have questions regarding our concerns and requested actions. Thank you for your actions to support the most underserved students in Los Angeles County.

Sincerely,

Alliance for Children's Rights
ACLU Foundation of Southern California
Arts for Healing and Justice Network
Children's Defense Fund-California
Independent Juvenile Defender Program, Los Angeles County Bar Association
Loyola Law School - Youth Justice Education Clinic
National Center for Youth Law

Public Advocates
Public Counsel

cc:

Los Angeles County Board of Supervisors

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Supervisor Mark Ridley-Thomas: Markridley-thomas@bos.lacounty.gov
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California Department of Education

Local Agency Systems Support Office: LCFF@cde.ca.gov

From: Michele Muto <MMuto@dmh.lacounty.gov>
Sent: Thursday, September 8, 2022 7:44 AM
To: info-POC
Subject: comment on today's meeting re SYTF

It is unfortunate that the County has waited this long to put something in place (and still have not) and consequently a problematic culture has already been created that will take a major effort to overcome. The most important aspect of this undertaking, is creating an environmental culture that lends itself to rehabilitation. The physical buildings themselves are not the issue nor is their location. It is the people inside those buildings and how they approach their jobs and whether or not they buy into the overall concept of rehabilitation. It is about how they perceive the youth and whether they can have compassion for them, which will give them, or not give them, the patience they will need to intervene in ways that support change rather than re-traumatization and triggering of youth.

What is going on in the compound at BJNJH appears to be business as usual and the culture of fighting that has long existed in our juvenile justice system is continuing as part of the SYTF culture, which is very unfortunate. The question I have, is this, *If the youth can not be managed in the compound at BJNJH where single rooms are available, how in the world does anyone expect to manage their behaviors at Campus Kilpatrick where they have an open dormitory setting?* The units at Campus Kilpatrick are extremely small and the school setting is confined.

That being said, at this point we need to move forward and find ways to make it work because June 2023 is only nine months away. That is not a long time to put something in place, have it functioning and have created a culture that is conducive to change. We have no choice but to make the best of a poorly planned, messy situation. Specialized staffing from all three County departments (Probation, DMH, LACOE) is more critical than ever. If we do not make the best choices for staffing the facility, wherever that facility is, many youth and staff will be hurt. One need only look at what is going on in the halls and camps now to know the truth of that statement.